

***United States Court of Appeals
for the Second Circuit***



APPENDIX

74-1414

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

UNITED STATES OF AMERICA,

Appellee,

-against-

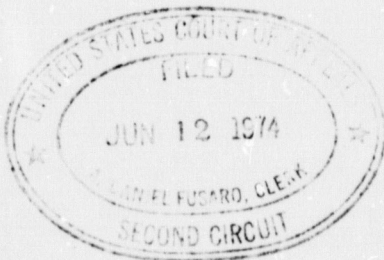
SPENCER THOMAS CHIN,

Appellant.

B
P/S
Docket No. 74-1414

APPENDIX TO APPELLANT'S BRIEF

ON APPEAL FROM A JUDGMENT
OF THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK



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PHYLIS SKLOOT BAMBERGER,
Of Counsel

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APPEAL
CRIMINAL DOCKET

73 CR 779

MISHLER, J.

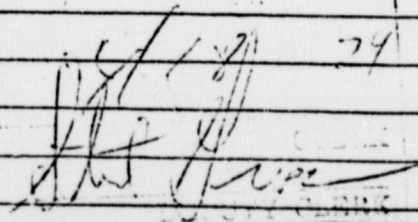
TITLE OF CASE	ATTORNEYS
THE UNITED STATES	For U. S.: Kaplan
vs.	
SPENCER THOMAS CHIN, A/K/A	
ANTER BEY	
	For Defendant:
Bank Robbery	

ABSTRACT OF COSTS	AMOUNT	CASH RECEIVED AND DISBURSED			
		DATE	NAME	RECEIVED	DISBUR
Fine,		3-29-74	Notice of Appeal (NO FEE)		
Clerk,					
Marshal,					
Attorney,					
Commissioner's Court,					
Witnesses,					

DATE	PROCEEDINGS
8/23/73	Before DOOLING, J. - Indictment filed
8/31/73	Before DOOLING, J. - Cse called - Deft and counsel-Marion Seltzer pres as counsel-Deft arraigned and enters a plea of not guilty-Deft moves for a reduction of bail-Motion denied.
9/6/73	Govt's notice of readiness for trial filed
9/19/73	Magistrate's file 73M1254 inserted into Criminal file 73CR779
11-19-73	Before MISHLER, CH J - Case called - trial adjd to Nov. 27, 1973 on consent.
11-27-73	Before MISHLER, CH J - Case called - deft & counsel present (CHIN) adjd to Jan. 14, 1974 for trial on consent.
1/4/74	Before MISHLER, CH J. - Case called Marked off

73 CR 779

DATE	PROCEEDINGS
1-15-74	Before MISHLER, CH.J.- Case called- Deft and Marion Seltzer of L.A.S. present- Suppression hearing held- Motion to suppress denied- Hearing concluded- Trial ordered and begun- Jurors selected and sworn- Govt rests Motion by the deft for a judgment of acquittal is denied- During trial deft withdraws his plea of not guilty to count 3 and after being advised his rights by the court and on his own behalf enters a plea of guilty to count 3- Sentence adjd without date- The Court declared a mistrial on count 1 and 2- Jury discharged- Trial concluded
3-29-74 :	Before MISHLER, CH.J.- Case called- Deft and counsel present- Motion by deft to adjd sentence is denied- Motion to withdraw plea is denied- Deft sentenced to a term of imprisonment on count 3 for a period of 15 years On motion of A.U.S.A. Woodfield counts 1 and 2 are dismissed-Court advises deft of his right to appeal both motions- Clerk to file a notice of appeal without fee- Bail set at \$250,000.00 Surety Co. Bond
3-29-74	Judgment and Commitment filed- certified copies to Marshal
3-29-74	Notice of appeal from orders denying motion to adjd sentence and to withdraw guilty plea filed
3-29-74	Docket entries and duplicate of notice of appeal mailed to Court of Appeals
4-2-74	2 stenographic transcripts filed, one dated Jan. 15, 1974 and one dated Mar. 29, 1974.
4-2-74	Certified copy of Judgment & Commitment retd and filed -deft delivered to Lewisburg, Pa.
4-17-74/	Order filed& received from the Court of Appeals that the Index to Record on Appeal be docketed by or before April 19, 1974.
4-17-74	Voucher for Expert Services filed.
4-18-74	Record on appeal certified and handed to Joan Gill for delivery to court of appeals



 4/18/74

EJB:KJK:pal
F. 733598

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

73 CR 779

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UNITED STATES OF AMERICA

INDICTMENT

- against -

SPENCER THOMAS CHIN, a/k/a "Anter Bey",
Defendant.

Cr. No. _____
(T. 18, U.S.C., §2113(a),
2113(b), 2113(d) and §2)
U.S.D. N.Y.

----- X

★ AUG 26 1973 ★

THE GRAND JURY CHARGES:

THE _____
P.L. _____

COUNT I

On or about the 15th day of August 1973, within the Eastern District of New York, the defendant SPENCER THOMAS CHIN, also known as "Anter Bey", did knowingly, willfully and feloniously, by force, violence and intimidation take approximately Six Thousand and Twenty-Five Dollars (\$6,025.00), in United States currency, from the persons and presence of employees of the Manufacturers Hanover Trust Company, 1205 Fulton Street, Brooklyn, New York, which money was in the care, custody, control, management and possession of the said Manufacturers Hanover Trust Company, the deposits of which bank were then and there insured by the Federal Deposit Insurance Corporation.
(Title 18, United States Code, Section 2113(a) and §2).

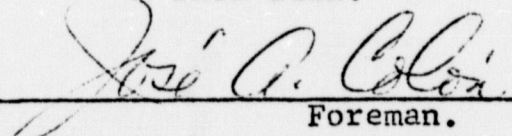
COUNT TWO

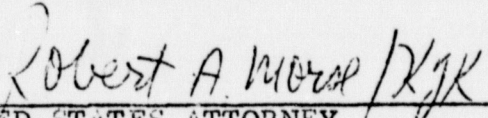
On or about the 15th day of August 1973, within the Eastern District of New York, the defendant SPENCER THOMAS CHIN, also known as "Anter Bey", with intent to steal, took and carried away approximately Six Thousand and Twenty-Five Dollars (\$6,025.00), in United States currency, from the Manufacturers Hanover Trust Company Bank, 1205 Fulton Street, Brooklyn, New York, which money was in the care, custody, control, management and possession of the said Manufacturers Hanover Trust Company, the deposits of which bank were then and there insured by the Federal Deposit Insurance Corporation. (Title 18, United States Code, Section 2113(b) and Section 2).

COUNT THREE

On or about the 15th day of August 1973, within the Eastern District of New York, the defendant SPENCER THOMAS CHIN, also known as "Anter Bey", did knowingly and willfully, by force, violence, and intimidation, take from the person and presence of employees of the Manufacturers Hanover Trust Company, 1205 Fulton Street, Brooklyn, New York, approximately Six Thousand and Twenty-Five Dollars (\$6,025.00), in United States currency, which money was in the care, custody, control, management and possession of the said Manufacturers Hanover Trust Company, 1205 Fulton Street, Brooklyn, New York, the deposits of which bank were then and there insured by the Federal Deposit Insurance Corporation, and in commission of this act and offense the defendant SPENCER THOMAS CHIN, also known as "Anter Bey", did assault and place in jeopardy the lives of the said bank employees, as well as the lives of other persons present, by the use of a dangerous weapon. (Title 18, United States Code, Section 2113(d), and Section 2).

A TRUE BILL.


Foreman.


UNITED STATES ATTORNEY

Certificate of Service

June 12, 1974

I certify that a copy of this brief and appendix has been mailed to the United States Attorney for the Eastern District of New York.

Ryan Heath Gumberson